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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/565,413	01/23/2006	Thomas Jachmann	S303P05196	5530

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EXAMINER
BUI, BRYAN P

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 April 2008*.
2a)☐ This action is **FINAL**.　　2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
　　closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *10-20* is/are pending in the application.
　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *10-20* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on *23 January 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.
　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
　　a)☐ All b)☐ Some * c)☐ None of:
　　　　1.☐ Certified copies of the priority documents have been received.
　　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.
　　　　3.☒ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　　　application from the International Bureau (PCT Rule 17.2(a)).
　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)　　　　　　　　　　4)☐ Interview Summary (PTO-413)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)　　　　Paper No(s)/Mail Date. _____.
3)☐ Information Disclosure Statement(s) (PTO/SB/08)　　　　5)☐ Notice of Informal Patent Application
　　Paper No(s)/Mail Date _____.　　　　　　　　　　　　6)☐ Other: _____.

DETAILED ACTION

1.   A request for continued examination under 37 CFR 1.114, including the

fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection.

Since this application is eligible for continued examination under 37 CFR 1.114,

and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the

previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's submission filed on 02/29/2008 has been entered.

2.   Claims 10-20 are pending, of which claim 10 has been amended and in

independent form.

3.   Applicant's arguments with respect to claims 10-20 have been considered

but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

4.   Claims 10, 11, 13-15 and 18 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Thibault et al (EP 0 825 506 A2) in view of Publication titled

"Pattern-Oriented Software Architecture: A System Of Patterns" (1996) issued to

Frank et al.(hereinafter "Frank").

As to claim 10, Thibault discloses:

providing a communication unit(Fig. 1: (26) or (28), a data source (Fig. 1 (25), and a runtime system (col.3, lines 32) between the communication unit and the data source, the runtime system including hardware components (col. 3, lines 32-40) and software components(col. 3, lines 54-56 and Fig. 1(25)) for transmitting data between the data source and the communication unit;

controlling and/or monitoring a data exchange between the communication unit and the data source with a processing sequence("omopenlist" col. 9,lines 25-27, 32-34 and Fig.2);

managing, with the runtime system, a dynamic memory area, and accessing the memory area to stipulate an order wherein the processing routines are called by the runtime system(col.5,line 57- col.6,line 5 and col.2 ,lines18-33 together with Fig. 2:"omopenlist","dqchange","omupdate" and col. 9,lines 43-46).

However, Thibault does not expressly teach:

the processing sequence comprising processing routines each having an identical input interface, the processing routines being callable in any order;

calling the processing routines in succession with the runtime system and supplying data in a called processing routine to the input interface of an immediately adjoining processing routine.

Frank, in the same field of endeavor ("Software Architecture"), discloses:

the processing sequence ("the task") comprising processing routines

("several sequential processing steps") each having an identical input interface,

the processing routines being callable in any order (see Frank, page 55:

"Solutions" and page 64: "Set up the processing pipeline")(emphasis added).

calling the processing routines in succession with the runtime system and

supplying data in a called processing routine to the input interface of an

immediately adjoining processing routine [**the output data of a step is the input

to the subsequent step**] (page 55).

Thus, it would have been obvious to someone of ordinary skill in the art at the

time the invention was made to modify the runtime system of Thibault by using

"The Pipes and Filters architecture pattern" as taught by Frank et al. because

such combination would have permitted the process control method of Thibault to

allow the runtime system to void the need to be recompiled and installed on the

hardware components.

As to claim 11,

the data source is a part in a distributed system(see Thibault, col. 3, lines

54-58 together with Fig. 2)

As to claims 13 and 14,

providing the data with a data-source-specific source data identifier, and controlling processing of the data by the processing routine on the basis of the source data identifier (see Thibault, Fig. 1,Process control unit: (19a)-(19e); data objects: (23a)-(23e)"source data identifiers" together with col. 6, lines 44-47).

controlling the processing of the data on the basis of the source data identifier with one or more of the processing routines (see Thibault, col. 6, lines 26, 44-47).

As to claim 15,

at least one of the processing routines is a buffer-store routine for buffer-storing data with a respective buffer-store data identifier, and if the source data identifier matches a given buffer-store data identifier, the buffer-store routine displays the buffer-store data associated with the buffer-store data identifier and terminates the interchange of the data.(see Thibault, col.9, lines 22-25, 32-35, and 36-42).

As to claim 18,

the runtime system has a network server(see Thibault, col.3, lines 37-40 and Fig. 1(16)) with a server program(col. 5,lines 46-47 and Fig.1 (25))_and at least one client computer (col.3,lines 33-34 and Fig.1 (12,14)) with a browser program (col. 2, lines 58-col.3, line 7), and accessing the server program with each browser program through the Internet (see Thibault, the Abstract: "Internet Web browser").

Most of the limitations for claims 11, 13-15 and 18 have been noted in the rejection of claim 10. Therefore, they are rejected as set forth above.

5.   Claims 12, 16-17, and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thibault et al (EP 0 825 506 A2) in view of Frank et al. as applied to claim 10 above, and further in view of Schleiss et al (U.S Pub. No. 2003/0014500 A1).

With respect to claim 12, most of the limitations of this claim have been noted in the rejection of claim10. It is noted, however, neither Thibault nor Frank discloses the claimed features of providing the data with a user identifier, checking the user identifier for a match with entries in prescribed user lists, and terminating data forwarding if no match is established. Schleiss et al, from the same or similar field of endeavor, teaches a method of processing transactional process control data (see Schleiss, paragraph 14 lines 2-8), wherein a technique of authentication of users prior to access and to process data is provided for preventing unauthorized data access, so that the process data are forwarded only to the authenticated users (see Schleiss, paragraph 54 lines 14-22).

Thus, it would have been obvious to someone of ordinary skill in the art at the time the invention was made to further modify the remote control method of Thibault (see the previous modification on the rejection of claim10) by adding a technique taught by Schleiss because such combination would have permitted the process control method of Thibault to allow the transactional data

communication for process control systems to develop custom communication

interfaces that must be integrated to carry out each type of transactional data

exchange (see Schleiss, paragraph 11, lines 15-20).

With respect to claims 16, 17 and 19, neither Thibault nor Frank

expressly discloses the claimed limitations of "at least one of the processing

routines is an error analysis routine" (as cited in claim 16), "at least one of the

processing routines is a monitoring routine" (as cited in claim 17), and "at least

one of the processing routines is a tracking routine" (as cited in claim 19).

However, Schleiss discloses an error analysis routine within the context of the

description (see page 7, lines 14-22 together with paragraph 31, lines 1-6).

Schleiss also achieves the claimed feature of "processing routines" by providing

a process control system to store data and/or monitoring data in a database (see

paragraph 40, lines 1-11 and Figure 3 and 4). Additionally, Shleiss discloses the

claimed limitation of "tracking routines" by using the user authentication prior to

access the data which is dependent not only on the user but also on the position

of the terminal within the network (see Schleiss, paragraph 54, lines 20-22 and

page 8, lines 15-28). Thus, it would have been obvious to someone of ordinary

skill in the art at the time the invention was made to further modify the remote

control method of Thibault (see the previous modification on the rejection of

claim10) by adding a technique taught by Schleiss because such combination

would have permitted the process control method of Thibault to allow the

transactional data communication for process control systems to develop custom communication interfaces that must be integrated to carry out each type of transactional data exchange (see Schleiss, paragraph 11, lines 15-20).

With respect to claim 20, neither Thibault nor Frank expressly discloses the claimed feature of "loading a configuration file into a dynamic memory area" and "stipulating a structure and an order of the processing routines". Schleiss et al, from the same or similar field of endeavor, discloses the stipulation of the structure (see Schleiss, paragraph 36, lines 1-4 and Figure 3) and the order of processing routines (see Schleiss, paragraph 46, lines 5-9 and Figure 5). Thus, it would have been obvious to someone of ordinary skill in the art at the time the invention was made to further modify the remote control method of Thibault (see the previous modification on the rejection of claim10) by adding a technique taught by Schleiss because such combination would have permitted the process control method of Thibault to allow the transactional data communication for process control systems to develop custom communication interfaces that must be integrated to carry out each type of transactional data exchange (see Schleiss, paragraph 11, lines 15-20).

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Benton et al. (US Pat No. 5,929,855)

Schleiss et al. (US Pat No. 67,146,231 B2)

Stoodley et al. (US 2002/0166113 A1)

Hekstra et al. (US 2003/0187979 A1).

8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan P. Bui whose telephone number is (571)270-1981. The examiner can normally be reached on 8:00 AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B Burgess can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Representative or access to the automated information system, call 800-786-
9199 (IN USA OR CANADA) or 571-272-1000.

BB

/Glenton B. Burgess/

Supervisory Patent Examiner, Art Unit 2153